

## EXACTIONS INCIDENT TO TENURES IN IRELAND.

For the following remarks, suggested by the list of Exactions enumerated in the foregoing deeds of the Barrys lords of Olothan and Orrery, the Editor is indebted to James F. Ferguson, esq. of the Exchequer Record Office at Dublin :—

The unsettled state of Ireland, from the earliest period of its history until the time of its final subjugation at the close of Elizabeth's reign, has, in addition to various other evils, occasioned the loss or destruction of by far the greater number of the ancient title-deeds by which the landed estates and other property of that kingdom have been conveyed. It is therefore desirable at this day to give to such portion of family muniments as still remain that perpetuity which the public press is best calculated to afford. As private documents of this nature are for the most part penned in the ordinary and well-known phraseology of the law, short notes of their contents are all that need be required ; but it sometimes happens (as in two instances before us) that unusual clauses are introduced which are not devoid of historical interest. We allude to those portions of the deeds marked F. 6 and F. 42, pp. 116 and 118, which contain a reservation of certain " Irish Exactions ;" and as we find that this is a subject which has been but casually glanced at by any of the Irish writers, we have sought for information from other sources, and more especially from such of the ancient public records of Ireland as are accessible.

The following document, which is to be found amongst the Irish Correspondence of the State Paper Office, gives explanations of many of the terms applied to Celtic exactions :—

1587. " NAMES of RENTS, in Money, Victuals, and Customs, which were due to the late Earl of Desmond.

" *Shraughe*. A yearlie rent in sterling money.

" *Marte*. A ycarlie rent of beef.

" *Chiefry*. A rent certain upon land, paying half-face money, which is the third part better than sterling.

" *Choyney*. A charge of meat and drinke for the time, *sans nombre*.

" *Lyvery*. A charge of horse with otes, corne, haie, and strawe, *sans nombre*.

" *Kernety*. A charge of 3s. 4d. or 4s. upon a plowlande, towards

the maintenance of the Erle's kerne, 100, or 200, or 300 men, more or less.

"*Sorren*. A charge set upon the freeholders' landes for a nombre certain for certain daies in a quarter of galloglasses.

"*Galloglas*. A number of soldiers to put the contrie to charge, bearing axes.

"*Kearne*. A nombre of soldiers to ride and assist the justices, seneshalls, receavors, stewards of courts, and serjeants, in the execution of the laws and customs of the countries and terretories of the said late Earle's, for the rule and government of his people and landes, and the receaving and gathering of his revenewes.

"*Bowreybeg* and *Bonnybur* were soldiers kept in readiness as well in peace as in warre, at the charges, with meat, drinke, and wages.

"*Musteroon*. A charge set upon the contrey to helpe the Erle in his workes, with cappells, garrans, and men at his own will.

"*Taxe and Tallage*, alias *Southe*. A convocation of all tenants, freeholders, and inhabitants, to helpe to paic the Erle's debts, or to helpe him to money at his need.

"*Refectioun* is only repast and away.

"*Coshery* is a charge of the Erle's people for lodging 40, 60, or 100 together under one rooffe.

"*Cuddy* is a charge of meales, meat, and drinke, the time he has his people in Coshery.

"*Gillicree* is as much to say in English, as a stood-keep allowed, to be maintained by his servants.

"*Gillycon* is as much to saie as dogg-keep, or huntsmen, in like manner allowed."

The greater part, but not all, of the terms employed in the foregoing deeds of the Barrys appears to be included in this list. *Cwnny*, the first, is evidently the same as *Coyne*; and *aghyny*, which does not occur elsewhere, is probably a misreading for *lyverey*. *Soryhyn*, *srach*, and *kernetty* (miswritten *keryrycy* and *kolhgynty*), are, it will be seen hereafter, of frequent occurrence. *Conhyrt* remains unexplained, unless it is a misreading for *bonaght*.

*Sorohen* is explained by Ware<sup>a</sup> to be a tax imposed four times a-year on all frank-tenants, or such who held lands descendible to their heirs, for the maintenance, entertainment, and pay of *bonaghts*. "But (says Harris) though it is sometimes taken for an imposition or tax, yet it is often understood to be a reservation according to tenure or grant between the lord and frank-tenant for maintenance of some galloglasses, more or

<sup>a</sup> Antiquities and History of Ireland.

less, at certain times; and was not always restrained to four times a-year, but was often taken one day in every fourteen. In an inquisition taken on the 4th Nov. 1584, after the rebellion of Gerald Earl of Desmond, it appears that the sorohen was paid for 24 hours once every fortnight, and the rents equally at Easter and Michaelmas; and it is mentioned in that record,—that the plowland of Ballyadam, besides sorohen, paid 6s. 8d. “I take (continues Harris) the name to come from the word *srone*, which was a measure of oatmeal containing three pottles, and that sorohen was a charge of a certain quantity of oatmeal for the maintenance of so many galloglasses as were stipulated for between landlord and tenant, three pottles for each head, and that seldomer or oftener, according to the terms of the tenure. See in the Rolls Office, stat. 3, 4 Philip and Mary, No. 13, where it is made high treason to give the Scots any wages, *bonaght*, *soreyn*, or other entertainment. There were two sorts of sorohen, viz. sorohen-mor, or the large sorohen, which was an equivalent or commutation for the other sorohen, in quirreens of butter and srones of oatmeal, a quirreen being a pottle or four pound.” “A sroan of oatmeal is a gallon and half of oaten flour, made of burnt oats; and because in payment of the sorren the quirren of butter and sroan of oatmeal are of like number, I do value the quirren and the sroan at vid., though in times past they had bene at iiii.d. the quirren, and the groat the sroan.”

*Kernetty* is by Ware described as “a tax on every plowland for the maintenance of the lord’s kern, called *kerntee*, and by corruption *kernetty*, which I find also called *kerneton* in a grant of 2 March, 34 Eliz. made to William Carter, in order to re-people Munster.”

*Ryell servyys* is probably the charge of “royal service,” or scutage on the land; and *Kynduoff* is perhaps meant for cane-duff, or black rent.

*Shragh* is in the table to the Red Council Book of 24 Hen. VIII. stated to be “an exaction in money taken by great lords to bear their charges in coming to Parliaments, councils, or burrough towns.”

Another description of these exactions has been found in the Carew MSS. vol. 625, p. 43, in the Lambeth Library, and has been recently published in the Rev. A. B. Rowan’s “Lake Lore,” 1853, 12mo, where it is accompanied by some interesting and amusing remarks on the lingering remains of these usages which may still be recognised in the country:

“Notes of such kindes of rentes and duties as the lordes and free holders of Desmond did customably use to pay to the Earl of Glancare.

“*Gairm sloæg*, that is, the calling of an army, is a rising upon warning given of all the able men of the country, every man to be fur-

nished with sufficient weapons and three daies' victuals, and for every default to be fined at xx<sup>s</sup>. old money; but such of the country as were his enemies would never yield to any such rising.

"*Sorren* or *Coigne*, as extorted by the Earl of Desmond, who was supposed to have invented this exaction, which he but adopted from y<sup>e</sup> Irish, is a night's meate upon any such lands as the Earl of Glancare passed through with his forces and companies, and was an uncertain charge, and therefore not valued, for the freeholders would not yield to give anie thing in lieu thereof.

"*Sorren more*, or the great sorren, is a certain charge of meat; if the earl would not come in place to spend it, yet there was a certain known quantity of quirrens of butter and sroans of oatmeal paid yearlie therefor, and every parcel of land was charged with his (i. e. its) own portion, which hath been time out of mind.

"*Cuddihie* is a portion, a meale's meat or a refection, certainly known, and is to be spent either at the freeholder's house, or to be sent home to his house, if the Earl of Glencare listeth, in a certain proportion of flesh, aqua vitæ, ale, cows, flour, or else, in lieu thereof, at the freeholder's choice, iij l. viij s. viij d.

"*Dowgollogh* was a certain rente for dogges' meat and man's meat among the mountains of Desmond, and the lower counties paid it for horse meat and dogge meat, the rent of dowgollogh signifying—rent, and all the freeholders cry out upon it, as imposed upon them by extortion and high hande.

"*Gallowglass*, a hired or foreign soldier, were a certain companie of foote soldiers bearing axes, with whom the Earle would charge the country whensoever he would make war against the Queen, the Earl of Desmond, or any other strong lord his neighbour.

"*Kernty* or *Kerne* (corresponding to the Scotch *catheran*), a companie of light footmen, that upon like occasion the Earl would charge the country with.

"*Rout*. A cesse for horse meat for the Earl's or his wife's own horses on Magonihy [in the county of Cork].

"*Musteroun*. A charge for workmen, put on the Earl's own tenants, for their wages and victuals, for any work or building he would undertake.

"*Canebeg* was a small spending that the Earl's wife had out of divers quarters of the county, and that was known for certain what every quarter was charged with."

Spenser, in his "State of Ireland," when speaking of coyne and livery, says, "It is a common use amongst landlords of the Irish to have a *common spending* upon their tenants; for, all their tenants

being commonly but tenants at will, they use to take of them what victuals they list, for of victuals they were wont to make small reckoning; neither in this was the tenant wronged, for it was an ordinary and known custom, and his lord used commonly so to covenant with him, which if at any time the tenant disliked he might freely depart at his pleasure. But now by this statute " (abolishing coyne and livery, &c.) " the said Irish lord is wronged, for that he is cut off from his customary services, of the which this " (coyne) " was one, besides many other of the like, as *cuddy*, *cosherery*, *bonnaght*, *shrah*, *sorehin*, and such others, the which I think were customs at first brought in by the English upon the Irish, for they were never wont, and yet are loth, to yield any certain rent, but only spendings, for their common saying is *spend me, and defend me.*" As the Synod of Cashel, held in the year 1172, and hereinafter referred to, makes mention of these Exactions as being at that time "old" as well as wicked and detestable, it is very probable that Spenser is in error in thus attributing their introduction to the English.

And the poet in a subsequent part of the same treatise, says, when speaking of the Irish lords, "they take and exact upon them" (their acquired estates) "as upon their first demeanes all those kind of services, yea, and the very wild exactions *coignie*, *livery*, *sorehon*, and such like, by which they poll and utterly undo the poor tenants and freeholders under them, which either thro' ignorance know not their tenures, or thro' greatness of their new lords dare not challenge them; yea, and some lords of countrys also, as great ones as themselves, are now by strong hand brought under them and made their vassals, as for example, Arundel of the Stronde, in the county of Cork, who was anciently a great lord, and was able to spend £3,500 by the year, as appeareth by good records, is now become the Lord Barries man, and doth to him all those services which are due unto her Majesty."

Sir John Davys, Attorney-General of Ireland in the reign of James the First, in his "Historical Relations," (Lond. 1612, pp. 165-182), when describing the Brehon law and Irish exactions, says—"But their Irish exactions extorted by their chieftains and tanists, by colour of their barbarous seignory, were almost as grievous a burthen as the other (*i. e.* Coigne and Livery); namely, *Cosherings*, which were visitations and progresses made by the lord and his followers among his tenants; wherein he did eat them (as the English proverb is) out of house and home. Sessings of the kern of his family, called *kernity*, of his horses and horse-boys, of his dogs and dog-boys, and the like. And lastly, *cuttings*, *tallages*, and *spendings*, high or low, at his pleasure; all which made the lord an absolute tyrant, and the tenant a very slave and villain, and

in one respect more miserable than bond-slaves ; for commonly the bond-slave is fed by his lord, but here the lord was fed by his bond-slave. These are the Irish customs which the English colonies did embrace and use after they had rejected the civil and honourable laws and customs of England, whereby they became degenerate and metamorphosed like Nebuchadnezzar, who, although he had the face of a man, had the heart of a beast."

When the treaty was entered into between James Earl of Ormonde, the lord lieutenant of Ireland, *anno* 3 Hen. VI. and Owen Oneal, of Ulster, it was agreed upon between them that Oneal should not levy Black-rent or take *victualia* from his tenants. And that he should give Bonaughtyc, tribute and exactions to the Earl of Ulster. [*Irish Record Reports*, 1810-1816, p. 56.]

*Coign* and *Livery* was an antient custom of the Irish, for by the 4th article of the Synod of Cashel, A.D. 1172, mentioned by Giraldus Cambrensis, it is provided "that no lords, earls, or noblemen, or their children or family, shall henceforth take or extort any *coign* or *livery*, *cosheries* or *cuddies*, or any such like custom, from henceforth in or upon any of the church's lands ; and likewise that they, nor any other person, do henceforth extort out of any other of the lands that old, wicked, and detestable custom aforesaid, which they were used to extort out of such towns and villages of the churches as were near and next bordering upon them."

We annex a few short notes, taken from the Irish statutes, for the purpose of showing the antiquity, continuity, and final abolition of these exactions.

By the Irish statute of the 3rd of Edw. II. it is enacted that, "forasmuch as merchants and the common people of this land are much impoverished and oppressed by the *prises* of great lords which take what they will throughout the country, without paying anything or agreeing with the owners for the same, and will sojourn and lodge at their pleasure with the good people of the country against their wills, to destroy and impoverish them," it is therefore enacted, that no such *prises* should be thenceforth made without ready payment and agreement.

The Irish statute of the 28 Hen. VI. chap. 1, recites that the marchers of the county of Dublin, and other men in Ireland, keep horsemen and footmen, as well Irish as English, more than they can maintain upon their own costs, or upon their own tenants, and from day to day do *coynee* them upon the poor husbands (*i. e.* husbandmen) and tenants of the said land, and oppress and destroy them. And the captains of the same marchers, their wives and their pages, certain times of the year, gather and bring with them the king's Irish enemies, both men and

women, and English rebels, with their horsemen and footmen, to night-suppers, called *cuddies*, upon the said tenants and husbands; wherefore it is enacted, that the marchers shall not keep a greater number of men, horsemen or footmen, than they can maintain.

On the 12th of September, in the 9th year of Henry VII. at Trim, in the county of Meath, it was enacted "that all the king's subjects should present their bills of complaint to the Lord-Deputy Sir Robert Preston of all robberies, murders, and extorsions don to them from the feast of Seynt Jamys" preceding—"that noone of the said lords nor gentilmen take no *coyn* nor *lyvere* within the Maghry in no manner of wise, nor, over that, to take no coyn and lyverey within the marches, except it be upon his owne propre tenants and servants"—and that "noon of the said lords or gentilmen, or eny other the kyng's subjets, take nor clayme no *blakrent* upon eny of the Kyng's subjets."

By the Act of the 10 Hen. VII. chap. 18 (Irish Statutes, vol. i. p. 54), it was recited that, "notwithstanding the Act lately made for the avoiding and damning of the evil custom of *coyn and livery*, there were many evil-disposed persons who by subtile and crafty means and ways, studying and imagining daily to cloke and colour the said dampnable custom, not foreseeing or pondering such acts and ordinances thereupon lately made, nor also the great danger and pain therein contained, accept and take daily by colour of gift and reward of some husbandmen for his meat and his servants 8*d.*, and of some less, and of some more, besides sheaves of oats and other grain for their horses; and so daily ride about the country from one husbandman to another, menacing to be revenged upon them in time to come if they thereof should be denied, the which is equivalent and in like mischief to coyn and livery;" wherefore it is enacted, that husbandmen shall not give money or horsemeat under a penalty of 100*s.* This Act is entitled "An Act for extirpation of a *new manner* of Coyn and Livery."

In the 28th year of Henry the 8th, by the Act entitled "An Act restraining Tributes to be given to Irishmen," it is recited that the king's Irish enemies were theretofore of great force and strength, by reason whereof they charged divers the king's towns and faithful subjects with tributes and *exactions*, for consideration that the said Irishmen, who take the said tributes, should defend the king's said subjects, which they have not done nor do, and yet they are at the charge to pay them the said unlawful impositions, to their utter impoverishing; and it is enacted, that thenceforth the king's towns and subjects should be exonerated therefrom, as he had sent his army royal into Ireland, whereby the king's subjects were highly animated and fortified, and the enemy greatly enfeebled.

By the statute under which Shane O'Neil was attainted in the 11th Elizabeth, it is thus enacted :—

“ And albeit, most gracious sovereign lady, that this your present conquest atchieved (*i. e.* the final conquest of Ireland) is the consummation of 404 years travail in this realm, yet is there of late, to the great glorie of God, your immortall fame, and good encouragement, a greater conquest then this wrought in this your land of Ireland, which is the abolishing and extirpation of that horrible and most detestable *coyne and liverie*, which was the very nurse and teat that gave suck and nutriment to all disobediences, enormities, vices, and iniquities of this realm, over foule and filthie here to be expressed, and such as did justly provoke the wrath and vengeance of Almighty God upon the people of this land, and to be feared hath bred some perill of God's displeasure to your most noble progenitors the princes of England, for so long suffering of the same. By the extirmination whereof there is in so short a time such an alteration of this estate happened, that where before there was everywhere but howling, crying, cursing, penury, and famine, now is there instead thereof mirth, joy, jolitie, and blessing of your Majestic, with such plentifulnesse of graine and victualls among the people of this realm, as the like hath not been seen nor heard of within the memorie of man.”—[Irish Statute, 11 Eliz. ch. 1.]

The legislature in the above-mentioned Act alludes to another statute of the 11th of Elizabeth (Irish Stat. vol. i. p. 345), entitled “ An Act for taking away Captainships, and all *Exactions* belonging thereunto, from the Lords and Great Men of that Realm,” wherein it is recited that lords and chieftains had, by pretext of defending the people and their own possessions, arrogated unto themselves absolute and regal authority within large circuits, by the distribution whereof each man had as much right as force would give him, and that in the drawing to them of all other inferior estates, to be of their several factions, they fell to such strife for greatness of rule and government, that the fear, obedience, and attendance of subjects was wholly converted from the queen to them ; wherefore it is enacted that none shall assume the name of Captain, or take or exact for the finding of them, their horsemen, footmen, galloglasse, kearn, hagbutters, horses, horseboyes, huntres, stode keepers, officers or adherents, any kind of *exactions*, impositions, taxations, cesses, or subsidies.

In Grants from the Crown and other records of the reign of James the First frequent allusions are made to these exactions, as will be perceived by the following references to the printed but unpublished Calendar to the Patent Rolls of the Chancery of Ireland during that period :—

(P. 419.) A Proclamation for pardoning all offences, &c. and to put



a stop to the *exactions* and oppressions of the chief lords of countries, to abolish uncertain tenures, and also to take the meaner sort into the king's special protection. 11 Mar. 1604.

(P. 41.) A grant was made to Sir Richard Boyle (the great Earl of Cork), in the year 1604, of the barony, &c. of Inchiquin, in the county of Cork, with all rents customs, duties, and demands, called *sorohen*, *scrake' mart* (a misprint probably for *shragh* and *mart*), *boynibegg*, and *kearntie*, as they were due and payable to Garret late Earl of Desmond, lord of the said manor, out of the barony or country of Imokelly, and by his attainder escheated, and so severally found by inquisitions remaining of record in the Exchequer.

(P. 59.) An inquisition was held at Newcastle, in the county of Dublin, on the 14th of March, 1604, whereby it was found that Sir Henry Harrington, seneschal of the Birne's country, received yearly certain impositions and compositions both in money and in swine, fowl, grain, wine, and cess of horsemen, to the amount of 20s. ster. by what right the jury know not.

(P. 89.) On the 1st April, 4 James I. a grant was made to Murtagh son and heir of Tirlagh McBrien Arragh, of certain rents and impositions in the counties of Limerick, Tipperary, Clare, and Galway, "in lieu of all other customs, refectations, impositions, or cess of horse and horseboys, contributions of *sragh*, *sorthin*, and *bonoragh* (quere *bonaght*?), duties, casualties, aids, benevolences or free gifts, cuttings, cosheries, and other advantages, claims, and demands, belonging to him or his ancestors within the cantred or territory of Arra, and amount to 78*l.* 12*s.* 4*d.* of old silver of England."

(P. 91.) A grant was made to William Sinnott of lands in the county of Wexford, in the year 1606, of certain custom sheep called "sommer-sheeps," and certain akates in Omoore's country.

(P. 102.) A grant was made in the year 1607 to Sir Thomas Roper of all the seigniories, chief-rents, custom-rents, and receipts of money, beoves, birds called puffins, and all services, commodities, customs, great or small, and all other duties whatsoever formerly known to be due or belonging to Gerald late Earl of Desmond attainted, in Desmond and Claremorris territories, in the same manner and form as the same are specified in an inquisition taken at Dinglecushe before Nicholas Walshe, Esq. and others, dated 6 Oct. 26 Eliz. remaining of record in the custody of the Chief Remembrancer of the Exchequer. [See the extracts annexed in the following page.]

(P. 110.) A grant was made to Sir Henry Power of all and singular the seigniories, chief rents, silver rents, customs of beoves, swine, butter, oats, beer, bran, and honey, and all other services, &c. which

belonged to Donald late Earl of Clancartie, in Kerry and Desmond, dated 16 Feb. 5 James I.

(P. 118.) An inquisition was taken at Mayo, on the 29th of July, 1607, whereby it was found that Benet Barrett, the father of Pierce Barrett of Balleassakilly, and his ancestors, who were called McPadins, had divers chief rents out of the lands therein mentioned, namely, a cow, 16 pecks of wheat, 16 measures of meal called barrens, with a proportion of butter, all valued at 21s. out of one portion thereof, and 12 measures or barrens with herbs, commonly called *sowle*, which they formerly willed according to the rate of 2s. 6d. out of every quarter of land. And the ancestors of the said Perse Barrett used to have within the said territory divers other dues, *viz.* *cesse*, *spending*, *cutting*, and *risings out*, &c. also courts leet and baron; and in right of their captainship had and levied all waifs, strays, felons' and attainted persons' goods and chattels, fines for bloodshed, and all other casualties and amerciements accustomed.

(P. 480.) In the grant made to Robert Earl of Essex, in the year 1620, it is stated that he shall be free from all *bonaght*, called *cesse-coyne*, and all Irish burdens whatsoever.

The following extracts and transcripts have been made from the records which are deposited in the Exchequer Record Office, at the Four Courts, Dublin:

It appears by the Memoranda Roll of the 33rd of Hen. VIII. that one Walter Warynge offered to build "a castell towr or torret," at Warenstoncassane, in the county of Louth, provided the lord-deputy Gray would grant to him and his heirs a ploughland of his own land there "fre of all subysydes, *coyn*, *lyverey*, *O'Neylles mony*, *coynobone*, cartynge, cariage, and all other manner of exactions and impositions;" and his offer was accepted.

By the Auditors Generals' Account of the 6 Edw. VI. it appears that a payment of £93 6s. 8d. was made to divers captains of 200 galloglasses who had been retained to serve the king, because their *sorren* or *bonaght* could not be levied openly or conveniently at the time it was required.

By the Memoranda Roll of the 3 & 4 Phil. & Mary, mem. 2, it appears that Sir Thomas Tyrrell, of Fertullagh, in the county of Westmeath, intruded upon the estates of a Mr. Darcy, and exacted from his tenants certain "extortiones" called "*conyees*, *coyyschers*, and *coodyes*."

By an Inquisition, taken at Dingley-cushe, co. Kerry, 6 Oct. 26 Eliz. upon the Attainder of Gerald Earl of Desmond, it was found that Gerald Earl of Desmond and his ancestors "were accustomed to have *conye*, *livereye*, *kearnetye*, *musteron*, and such like Irish exac-

tions at their will and pleasure," in the three cantreds herein named. "Also the jurors aforesaid say, upon their oath aforesaid, that there are in the aforesaid cantred (Kirricurrihye) 29 carucates of land pertaining to the same manor (Carriggelyne), which the said Gerald late Earl of Desmond, at the time of his entry into rebellion, was accustomed to charge, and his ancestors from time to time were accustomed to charge, with the payment of a certain yearly rent of 10s. sterling arising out of each carucate of land of the said 29 carucates of land, and with *conye, lycereye, kernetye, [gillyacrye], [ ]*, *gillicon*, and *misteron*, at the free will and pleasure of the said late earl and of his ancestors."

"And that the castle, town, and lands of Aghemarten, containing one carucate of land with the appurtenances, are held of the manor aforesaid (Carriggelyne), by a certain refection called *cuddihie*, twice every year, namely, once after the feast of Easter, and once after the feast of the Nativity of our Lord, or in place of the said refection ten ounces of old money [*decem uncias monete antique*]."

In a grant made by Queen Elizabeth to Robert Strowde of lands in the county of Limerick, her Majesty exonerates him from all "cesses, toles, taxes, tallages, cuttinges, relieves, refecons, *coyne, lyxerie, kerne-ton, cosherie, cuddye, gillytin, gillicon*, and all other burdens and impositions whatsoever."

In the year 1592, Sir Edward Denny was indebted to Queen Elizabeth in the sum of £1681, for Crown rent of his estates in the county of Kerry, and also for "composition beves" levied of the entire of the county. The Commissioners who were appointed in this year to settle the disputes which had arisen between the undertakers and the natives of Munster, state that these composition beves were received by the late Earl of Desmond, who "had no right nor propertye to demaunde the same as rents, but they were exacted as *shraghe* and *marte* by violence, and never payed voluntarilie, although they had longe continewed."

By an inquisition taken at Cork, in the year 1607, it appears that O'Donovane's lands owed to McCartye a rent called "*dolly*," viz., "6 grots and a penny halface,<sup>r</sup> yearelie payable at Maie and y<sup>e</sup> Feasts of All Saints; and also duties called "*cuddihie*," "payable at Christmas," 14d. halface out of everie ploughland;" and also of "dewties called *dahideage*, twoe groates halface," before the last of July; and also "a *poundage hogge* yeerelic uppon everie the tenants that hath

<sup>r</sup> The term "half-face" was applied to the coin which bore the impress of the sovereign's profile, to distinguish it from the "old money" mentioned in the Inquisition of 26 Eliz. referred to in the text, upon which the king or queen's full face was stamped. In 1587 (as already stated in p. 123) the half-face money was the "third better than sterling."

anie hogges above the number of five ;" that the said lands owe 14*d.* yearly for <sup>s</sup> *mart Ierlie* or the rent beoves of Carbrie; and also 6*s.* sterling for "ayed and releefe towards the mariadge of his daughters," and 2 bushels of oats out of every ploughland, and "the halfe of all fraies, straies, and bloodshedd." "

At the close of Elizabeth's reign a composition rent was substituted for those uncertain and unlimited exactions which the lords deputies levied of the country when they were upon their "journeys" or "hostings," save only in the Byrn's country, near Dublin, and in Upper Ossory, in the county of Tipperary, which, as appears by an Exchequer record of the year 1614, were not even at so recent a period brought sufficiently under subjection for that purpose. As the composition rent that was extended to the baronies of Yvlyehane and Kyrechurric (which are mentioned in the above-recited deeds), and to the country of Orerye (also mentioned in these deeds), in lieu of "cesses, vitlinge of her Majesties armye and garrison, and of all provision of the howshold and stable of the lo. deputie, *coyne, liverie, sorohen, bonybegge, and kearnetie,*" appears by certain indentures that were entered into between Elizabeth's commissioners and the gentlemen, freeholders, and inhabitants of that country, and of those baronies, in the year 1592, transcripts as taken from the originals, which are also deposited in the Exchequer Record Office, Dublin, are here given :—

ARTICLES INDENTED betwixte the Quenes most excellente Majestie, by her commissioners, whose names hereafter are subscribed, on thone partic, and all the gentlemen, freholders, and inhabitantes and possessioners of the two baronies of Yvlyehane and Ogormelehane, in the lo. Barrie Moores countrie, in the countie of Corke, on thother partie, towching a composicion in leiw of cesse and all other chardges, at Corke, the xvij<sup>th</sup> of September, 1592.

Firste, Whearas by her Majesties lettres patentes, dated at Dublin, the twelfth daie of Julie last paste, and by her Majesties instrucciones, signed with her owne hande, and signed also by the lordes of her Majesties most honorable pryvie counsell annexed to the said comission, the said comissioners are authorised to deale with the lordes and freholders, and all other possessioners in the province of Mounster, for a composicion in leiw of cesse such as is in Connaughte; the which beinge publicklye redd and explaned, and diverse reasons publicklye disclosed to move the countrie to yeld unto her Majestic a yearlie composicion, the said lords, gentlemen, freholders, and possessioners of the said two

<sup>s</sup> i. e. the Earl's ox.

baronies called Ivlyehane and Ogormelehane, havinge dwlie considered of the same, acknowledginge with all humilitie her Majesties princelie care and greate masses of treasure spent within this province for the suppression of the late traytor Desmonde and other his complices, as also for defence of her Majesties true and loiall subjectes within this province, the said lords, gentlemen, freholders, and possessioners have submitted them selves willinglie to a composicion, and doe by theise presentes most humble and willinglie offer unto her Majestie a yearlie composicion of ffortie and two poundes ster. lawfull Englishe monye, to be yearlie paid to the Quenes most excellent Majestie at the Feaste of All Saintes, and the Feaste of St John Baptiste, otherwise called Mydsomer, by even porcions, to continewe duringe the space of three yeares next after the date hereof, and for noe longer tyme; and the said commissioners for and in the behalfe of the said Quenes most excellent Majestie doe accepte of the said composicion to her Majesties use to continewe duringe the said three years, and doe by theise presentes for and in the behalfe of the Quenes moste excellent Majestie, promyse, conclude, condescende, and agree to and with the said lords, gentlemen, freholders, and inhabitantes of the said two baronies of Yvlyehane and Ogormelehane and every of them, that in respecte of the said composicion soe graunted, the said lords, gentlemen, freholders, and inhabitantes, and all ther landes and possessions within the said two baronies, shalbe clerlie and absolutlie freed and exonerated of all cesses, and of all vitlinge of her Majesties armye and garrison, and of all provision of the howshold and stable of the lo: deputie or other cheif governor of this lande, and likewise the lo: presidente, vicepresident's howesholde and stable, and of all provision of horsmen, souldiers, galloglasses, horseboies, horses, and all other imposiciones whatever; provided that, yf anie invasion or any sodden attempte or rebellion dothe happen, whearby the necessitie of service shall require the souldiers to be vitled upon the countrie, then this composicion and the paymentes thearby graunted shall determyne duringe suche vitlinge taken upon the countrie duringe the said service, and neverthelesse after the removall of the said souldiers and other like imposicions, the composicion to be revived and continewe duringe the said three years. Lastlie it is concluded, for ease of the collection, that eche baronye shall nomynate and appointe frome tyme to tyme a collector for the said severall baronies, whoe shall reccave the same and geeve acquittances without fee, and yf anie faile of paymente, then he is aucthorised to distraine for the arreragies; and in the defaulte of collectors, then the vicepresident and counsell to geve order to the sherif or other to collecte the arreragies upon the landes of suche parsons upon whome yt shalbe dwlie chardged. In wittnesse whearof

the said gentlemen, lords, freholders, inhabitantes, and possessioners of the said two baronies to this parte of indenture and articles remaininge with the said commissioners for and to the use of the Quenes most excellent Majestie haive subscribed ther names the daie and yeare aforesaid.

David Buttevante.

Gerralde + Bowy<sup>t</sup> Barrye.

John Fitz + Edmond McShane Barry.

Jhone + Fiz Edmond Bary alias Mc<sup>c</sup> [Cavanac].

James + McGerott.

John Water.

Edmounde Tyrrye.

Edmounde Tyrrye Fz Davide.

Ffynyny + McArte.

Da: Tyrry.

Phyl. Golde.

Stephen Water.

Richarde Barry.

James Rouaine.

John Roche.

Piers Golde.

Gerot + McShane Iadir<sup>u</sup> Barry.

Richard Lavallen.

Thomas Sarsfeld.

[ ] Mead.

Pat. Tyrry.

Adryan Waters.

[ ] Wadding.

[ ] Coppinger.

And. Barrett

Ja: Gallwey.

[Willm. St. Leger.]

By the like articles indented, bearing the same date, an agreement was made with the gentlemen, freeholders, and inhabitants of the countrye of Orerye to pay a yearly composition of 20*l*. in lieu of cess. They conclude with the following memorandum and signatures:—

Memorandum.—The chardgeable landes of Liskarroll, of Ballymackowe, Ballehustie, and Kylmakleny, yf anie parcell thereof be chardgeable, is meant to be subject to thabove composicion, as other chardgeable landes are, in consideracion of this composicion of twentie poundes sterling.

Nicholas + Barry alias Mc<sup>c</sup>Shiamis.<sup>x</sup>

Ede Barry of Bregog.

James Lombard.

Ja: Byrn.

Edward Nangle.

Ph: Kirvayne.

Hen: Chillester.

John + Bary of Lisgrifyn.

Kallaghan + Mc<sup>c</sup>Owen.

Cornell; Daly.

<sup>t</sup> *i. e.* the fair-haired.

<sup>u</sup> *i. e.* the strong.

<sup>x</sup> *i. e.* the son of James.

Memorandum.—The daie and yeare above said, the gent. and freholders of all Condons countrie hath compounded with her Majesties commissioners to paie yearelie to her Majestie for three years at the tymes aforesaid, and for the consideracions aforesaid, the some of six poundes sterling lawfull mony of Englande.

Edmonde (+) Gaucagh.

Patrick (P. C.) Condon.

Phyl. Golde.

Fu: Monsloe.

William + McEdmond Condon.

Walter + Condon.

Edmond + Fz. John Condon.

Edmond (+) oge Condon.

(R. C.) Richard Condon alias McMawge.

AN ORDER INDENTED betwixte the Quenes Majesties commissioners, whose names are hereunto subscribed, on thone partie, and all the freholders and tennantes of the baronie of Kyrechurrie, on thother partie, dat. xx<sup>th</sup> die Septembris, 1592.

Whearas upon view of the recordes of her Majesties offices yt is founde that there are within the said baronye severall sortes of tenures whearby the landes there are challenged to be holden, viz. twentye and nyne plowe landes, called by the name of chardgeable landes, whearof everie plowe lande was chardged with the yearlie rent of ten shillings sterlinge, and with *coyne, liverie, bonybegge, kearnetie*, and suche Irishe customes to the will and pleasure of thearle of Desmonde; fiftene plowe landes, whearof every plowe lande is holden by feoltie and six shillings and eight pence sterling yearlye rent, and by *sorohen* during twentie and fowre howres in everie ffortnyght; fowre plowe landes, whearof everie plowe lande is holden by feoaltie and *sorohen* onelye; twentie and three plowe landes, whearof everie plowe lande is holden by homadge, feoaltie, and swte onely to the mannor of Carriglynnye; the towns and landes of Aghmarten, holden by *sorohen* and two *refeccions* yearlie; the towne and landes of Ballenvonige, holden by *sorohen* and two *refeccions* onelie yearlie; Ballihyndebarry, holden by feoaltie and sixtene pence sterling yearlie rent; and Farrenedighe, holden by feoaltie and the yearlie rent of six shillings and eight pence sterling, as by thoffices more particularie appercthe; and whearas upon rippinge upp the titles mencioned in the severall petitions of the pretended freholders of the said chardgeable landes exhibited unto us, complaininge that the said chardge was wrongfullie exacted by thearles of Desmonde and weare abolished by statute, and

desiringe to be restored to the severall freholdes which they in ther said bills demaunded, and to be dischargd of the said burden, Ytt appeared that thearle of Desmonde latelie attainted, and diverse his ancestores before him, have used in many years to demyse and lett the said chardgeable landes to others than the said pretended freholders, and allowed unto them onelie the fourthe parte of the lande ; neverthelesse, forasmuche as the said plaintiffs shewed before us diverse deedes of feoffment, releasses, and other probable evidences, and produced divers wittnesses wherby yt shoulde seme that the right of the freholde belonged to them and to those by whome they claime ; and forasmuche as they and all the rest of the freholders of the other landes before recited willinglie submitted them selves to our arbitrable order to compoude alle controversies betwixte suche as claime by her Majestie and them ; and also forasmuche as wee maie thinke by reason of an ancient deed which wee sawe dated in kinge Richard the Secondes tyme, that some of those services weare lawfullie created by tenure, althoughe wee could not learne the beginning therof ; and that wee thinke some other the incertenties weare wrongfullie exacted of them, by reason wee finde the chardges to have bene gretter than the hole proffittes of the lande, we have therefore concluded and ordered as hereafter followeth : Firste, that all the freholders of the said twentie and nyne plowe landes of chardgeable landes and ther heirs shall yearlie paie to her Majestie, her heirs and successores, owt of every plowe lande of the same, as well in consideracion of the said rentes and duties, as in lew of all cesse, vitlinge her Majesties souldiers or garyson, provision for the lo: deputie or other governor of this realme, lo: presidente or vicepresident's table or stable, horsemeate, man's meate, and all other chardges whatsoever, the yearlie rent of twentie six shillings and eight pence sterling currante monye of Englande, at the feastes of Easter and Michalmas, by even porcions ; and that the freholders of the said ffiftene plowe landes, holden by feoaltie and six shillings eight pence sterling yearlie rent, and *sorohen* duringe twentie and fowre howres onst<sup>y</sup> in every ffortnyght, shall paie owt of everie plowe lande of the same to her Majestie, her heirs and successores, in consideracion of all the said chardges, the some of ffyftene shillings sterling yearlie rent, to be paid at the feastes aforesaid ; and that the freholders of the said fowre plowe landes, holden by feoaltie and *sorohen* onlie, for and in the consideracions aforesaid, shall paie the some of thirtene shillings and fowre pence yearlie rent as aforesaid ; and that all the freholders of the said twentie and thre plowe landes, holden by homadge, feoaltie, and suite of courte onlie, for and in the considerations aforesaid, shall paie yearlie owt of every plowe



lande the some of six shillings and eight pence sterling yearlie rent ; and that the severall freholders of the towne and landes of Aghmarten, and of the towne and landes of Ballenvonige, shall paie out of eche and everie of the said severall townes for the said sorohen and two refeccions, and for and in consideracion aforesaid, to her Majestie, her heirs and successors, owt of everie of the said townes, the some of thirtene shillings and fowre pence sterling ; and that the freholders of Ballihindebarrye shall paie as afore, and for the consideracions aforesaid, the somme of ffyve shillings and fowre pence sterlinge ; and lastlie, that the ffreholders of Farrenedighe shall paie owt of the same, for and in the considerations aforesaid, the some of eight shillings and fowre pence sterling ; and that they and everie of them shall and maie dispose of ther said landes at ther pleasures. And wee, the said gentlemen and ffreholders of the said baronye of Kerechurrie, doe most willinglie and thankfullie accepte of this order, and doe hereby dutifullie graunte to her Majestie, her heirs and successors, for us and our severall heirs, the said severall rentes issueinge owt of the said severall plowe landes as before is mentioned : Provyded alwaies that yf auie invacion or auie sodden attempte or rebellion doe happen, whearby the necessitie of the service shall require the souldiers to be vitled upon the said baronie, that then allowance shalbe made to the freholder of everie plowe lande of the said landes the some of six shillinges and eight pence sterling yearlie duringe the said chardge or vtilinge upon the countrie ; and nevertholes, after the removall of the souldiers, the whole rentes aforesaid to be leavied and continued as aforesaid : Provided also, that notwithstandinge that yf her Majesty doe in any tyme hereafter signifie her highnes pleasure to the contrarie of this order, that the same shalbe of noe longer force. In wittnesse wherof, the said gentlemen, tenants, and freholders of the said baronie have to this deed indented and order remaininge with the said comissioners for and to th'use of the Quene's most excellent Majestic, subscribed ther severall names the daie and yeare aforesaid.

William + Coggan.

William Roche.

Richarde Roche.

James Gallwey.

William Meade.

Phillipp Coggan.

James + Nugent.

Dominicke Gallwey.

Piers Goulde.

James Ronayne.

James Hore.

Pat<sup>k</sup>. Tyrry.

Piers Golde.

John Coppinger.

Edmond Richford +.

John Verdon.

Owne + + Dobyn.

Owen Daly.

Thomas fitz John.

James Gallwey.



great house of the Desmonds (whose "rents in money, victuals, and customs" are here given), and in like manner allied to the once "degenerate" house of the MacCarties (whose exactions have also been described), it will excite no surprise when we find the ancient family of the Barrys (whose exactions are now known to us by the publication of the foregoing charters) holding the customs of the Celt in higher estimation than the laws of the Saxon.

By the deed marked F. 6 (p. 116), and by other documents, it appears to have been an ancient custom with the degenerate lords and other magnates when summoned to Parliaments and Councils to levy of their tenants either money or provisions to enable them to bear the expenses of their journey; and the Irish government in Elizabeth's time seems to have been desirous of abolishing this custom also; and therefore when Sir Henry Sydney, the lord-deputy of Ireland, entered into a treaty, in the year 1570, with Faghny O'Farrell of the Pallace, co. Longford, it was stipulated amongst other things that he as seneschal, &c. should not "levye, take, or exacte uppon the said countie any money, cattell, or other thinges for his expences in comynge to the governor and counsaile to Dublin or elsewhere."

Other explanations of Celtic exactions will be found in the second volume of Tracts published by the Irish Archæological Society, in which they are described by one John Dymmok, an Englishman. They are specified at considerable length in "The Proceedings of the High Commissioners of Inquiry into the Grievances and Social State of the English Pale, anno 1537," one of the documents proposed to be printed by the Kilkenny and South-East of Ireland Archæological Society; and it may be expected also that this subject will be fully illustrated in the edition of the Brehon Laws now preparing by Mr. Eugene Curry and Dr. O'Donovan, under the superintendence of the Commissioners appointed for that purpose.

LIST OF THE KING'S CASTLES, FORTS, GAOLS, ETC., IN  
IRELAND IN THE YEAR 1676.

[From one of the Records of the Irish Exchequer.]

*Allowances craved for Hearth Money for the King's Forts, &c.*  
[by the Farmers of the Customs.]

CORKE:—	£.	s.	d.
The King's Fort at Halboulín . . . . .	0	18	0
The King's Forts of Castle Parke and Rincorrant . . . . .	3	12	0
The King's Fort, Guard, and Prison att Youghall . . . . .	0	12	0

# 142 THE KING'S CASTLES, FORTS, GAOLS, &C.

	£.	s.	d.
The Fort att Corke, Maine Guard, and Skiddy Castle.	1	6	0
The Gaole att Kinsale . . . . .	0	4	0
The Gaole in the Citty of Corke . . . . .	0	12	0
The Gaole in the County of Corke . . . . .	0	10	0
	<hr/>		
	£7	14	0
<hr/>			
COUNTY TIPPERARY:—			
King's Fort att Clonmell . . . . .	£2	0	0
	<hr/>		
COUNTY OF CLARE:—			
The House of Correction att Enish . . . . .	0	8	0
The Gaole att Enish . . . . .	0	6	0
Clare Castle . . . . .	1	8	0
	<hr/>		
	£2	2	0
<hr/>			
LIMERICK:—			
The King's Castle and Cittydell in the Citty of Limerick	£2	12	0
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WATERFORD:—			
The King's Forts att Waterford and Passage . . . . .	£1	3	0
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WESTMEATH AND ROSCOMON:—			
The King's Castle att Athlone . . . . .	2	14	0
The Guard att Boyle . . . . .	0	4	0
	<hr/>		
	£2	18	0
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GALWAY:—			
The King's Fort at Bellamoe . . . . .	2	16	0
The King's Fort in the Isles of Arran . . . . .	2	4	0
The King's Forts and Cittydells in Galway . . . . .	6	11	6
	<hr/>		
	£11	11	6
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MAYO:—			
The King's Fort att Bellaghy . . . . .	3	3	0
The King's Fort att Buffin . . . . .	1	4	0
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	£4	7	0
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## COUNTY LONGFORD:—

	£.	s.	d.
The King's Fort att Longford . . . .	1	4	0
The Garrison att St. Johnstowne . . . .	0	2	0
The Gaole in the County of Longford . . . .	0	6	0
The Fort att Lanesburrough . . . .	0	14	0
	<hr/>		
	£2	6	0

## COUNTY WEXFORD:—

The King's Fort att Duncannon . . . .	3	8	0
The Citydell and Blockhouse at New Rosse . . . .	0	8	0
The King's Castle and Guardhouse att Wexford . . . .	0	10	0
	<hr/>		
	£4	6	0

## LOWTH:—

The House of Correction in Atherdee . . . .	0	4	0
The Gaole att Dundalke . . . .	0	2	0
The Session House . . . .	0	2	0
The Guard there . . . .	0	2	0
The King's Castle att Carlingford . . . .	1	4	0
The Horse Guard in Atherdee . . . .	0	8	0
	<hr/>		
	£2	2	0

## DROGHEDA:—

The Guards in Drogheda . . . .	£0	18	0
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## MEATH:—

Tecroghan Garrison . . . .	1	8	0
The House of Correction in Navan . . . .	0	10	0
The Gaole att Trym . . . .	1	4	0
	<hr/>		
	£3	2	0

## WICKLOWE:—

The Castle of Wicklowe . . . .	£0	12	0
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## COUNTY CATHERLOGH:—

Catherlogh Castle . . . .	2	12	0
Loughlin Bridge Castle . . . .	1	16	0
	<hr/>		
	£4	8	0

	£.	s.	d.
<b>CITY DUBLIN:—</b>			
The Castle . . . . .	13	8	0
Guard at St. Warburough's Gate . . . . .	0	4	0
Ditto att St. Nichols Gate . . . . .	0	4	0
Horse Guard, Dama Street . . . . .	0	10	0
Councill Chamber . . . . .	2	0	0
Auditors' Office . . . . .	0	12	0
Parliament House . . . . .	1	10	0
Four Courts . . . . .	1	6	0
King's Bench Office . . . . .	0	14	0
Maine Guard . . . . .	0	4	0
Bridge Gate . . . . .	0	2	0
Newgate . . . . .	0	8	0
King's Inns . . . . .	8	0	0
Horse Guard in Oxmontowne . . . . .	0	18	0
	<u>£30</u>	<u>0</u>	<u>0</u>

**COUNTY DUBLIN:—**

Chappelizard House . . . . .	2	4	0
The Phenix . . . . .	3	10	0
The Wash-house . . . . .	0	14	0
Robert Wells . . . . .	0	4	0
George Hamilton . . . . .	0	6	0
King's House att Newtowne . . . . .	0	14	0
Edward Palmer . . . . .	0	6	0
The Doghouse . . . . .	0	2	0
Cormuck Scully . . . . .	0	2	0
Henry Woodall . . . . .	0	2	0

**Ashtowne:—**

Richard Rosse, the keeper . . . . .	0	6	0
William Burnam . . . . .	0	2	0

**Cantwellstowne:—**

The Kceper . . . . .	0	8	0
Will. Waller . . . . .	0	2	0

**Kilmainham Castle:—**

John Graves, in his house and doghouse . . . . .	0	6	0
Kilmainham Gaole . . . . .	0	10	0
Kilmainham Bridge Ivy House . . . . .	0	6	0
The Lighthouse . . . . .	0	6	0

£10 10 0

## LONDONDERRY:—

	£.	s.	d
Castle of Kilmore and Reddhouse . . . . .	1	4	0
Store Castle of Londonderry . . . . .	0	4	0
Four gaute houses att Londonderry . . . . .	0	8	0
The Guardhouse there . . . . .	0	4	0
	<hr/>		
	£2	0	0

## COUNTY ARDMAGH:—

Charlemount Castle . . . . .	1	12	0
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## COUNTY DOWNE:—

Hilsborough Castle . . . . .	£3	12	0
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## ANTRIM:—

King's Guard and Castle in Carrickfergus . . . . .	0	16	0
Guard att Antrim . . . . .	0	2	0
Guard att Ballymoney . . . . .	0	2	0
Guard att Larne . . . . .	0	2	0
Guard att Ballymana . . . . .	0	2	0
	<hr/>		
	£1	4	0

The Tot. for one yeare . . . . .	100	18	6
for six yeares more . . . . .	605	11	0
	<hr/>		
	706	9	6

To be allowed for a fire in Cork and Kinsale in y <sup>e</sup> } yeare 1674, w <sup>ch</sup> consumed houses, y <sup>e</sup> hearth money } whereof amounted to . . . . .	8	15	0
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*Indorsed 13th Octr. 1676. Copies for y<sup>e</sup> Judges.*

*Note on Hearth Money.*

So early as the Conquest mention is made in Domesday Book of Fumage (vulgarly called Smoke-farthings), which was paid by custom to the King for every chimney in the house. It is stated by Mr. Howard, in his work on the Irish Exchequer,<sup>a</sup> that the introduction of this impost into Ireland was by the statutes of 14 and 15 Car. II. c. 17, and 17 and 18 Car. II. c. 18, by which a duty of 2s. for each fire-hearth, &c. yearly, was granted to the Crown in lieu of the Court of Wards; but when Mr. Howard made this remark, he was probably not aware that, so far back as the 10 Rich. II. a mandate was issued by

<sup>a</sup> Howard's Revenue and Exchequer of Ireland, vol. i. p. 89.

the Lord Lieutenant to appoint collectors within the county of Kildare, &c., "to levy the money called *smoke-silver*, namely, one halfpenny, from every house wherefrom smoke arises, for the wages of watchmen." And in the same year Richard Talbot, sheriff of Dublin, and John Fitzwilliam junior, keepers of the peace in that county, and Reginald Blakeburne, were directed to appoint watchmen (*vigilatores*) to make vigils as well by day as by night, wherever necessary, for the safety of the marches, and also to levy "smoksylver" for the payment of their wages.\* Subsequent entries appearing in the same records show that this tax was levied up to the time of Henry IV.

By Indenture, dated the 12th of July, 1669, 21 Charles II. and enrolled on the Communia Roll of the Exchequer of Ireland of that year, his Majesty granted to John Forth, alderman, and then one of the sheriffs of London, William Bucknall, William Dashwood, Philip Jemmet, and John Brendon, of the same city, James Hayes of Lincoln's Inn, Darnet Forth and George Dashwood of London, William Muschamp and Humphry Taylor of Dublin, and Ralph Bucknall of London, esquires, the Revenue of Ireland for a term of seven years, subject to a yearly rent of 91,500*l.* for the first year; during the second year an increase of 75,000*l.* "in consideration of the Customes and Imported Excize, which, duringe that yeare, will come into possession;" during the third year 206,250*l.* "in consideration of the Inland Excize and Ale and Beer Lycenses, which, on the 25th of March, 1671, will come into possession;" and during the four last years 219,500*l.* per annum; the lessees advancing to the King a sum of 70,000*l.* at 10 per cent. interest. This lease expired in the year 1676, when the Revenue was farmed to Sir James Shaen, and others, at the increased rent of 240,000*l.* per annum; and in that year the out-going farmers prayed the Lord-Lieutenant and Council to allow them, in their accounts (amongst other things), a sum of 630*l.* for the *hearths* of the King's Houses, Castles, Forts, &c. from which no benefit or profit had been derived by them, and this "being a pointe of law, theire Lordshippes thought fit to leave it to the King's Courts to judge the same." Accordingly, upon stating the account of the then late farmers in the Court of Exchequer, in Trinity Term, 1676, the Barons, for the several reasons stated in their Order, gave it as their opinion that they were not entitled to any allowance or defalcation for the hearth-money of the Castles, Forts, Farrisons, Inns of Court, Guard-houses, Houses of Correction, Gaols, Prisons, or other houses then occupied for public purposes.

J. F. F.

\* Calendar to the Patent and Close Rolls of the Irish Chancery, p. 136.